UNITED STATES DISTRICT COURT
for the

PAUL JONES	)	
Plaintiff	)	
v.	)	Civil Action No. 4:19-cv-11093ADB
MONTACHUSETTS REGIONAL TRANSIT AUTHORITY,	)	
ET AL. *Defendant*	)	

WAIVER OF THE SERVICE OF SUMMONS

To: ___Paul Jones_____
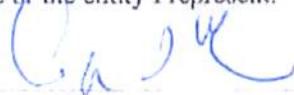*(Name of the plaintiff's attorney or unrepresented plaintiff)*

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from ___6/14/19_____ , the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: ___7/24/19_____

_____
Signature of the attorney or unrepresented party

Montachusetts Regional Transit Authority, Rebecca Badgley, Donna
Printed name of party waiving service of summons

Landry, Bonnie Mahoney, Karen Cordio, Joanne Norris, Stephanie
Richards, Tamara Shumovskaya, Jessica Torres, Amanda Kukta, Robert
Monk, Michelle Moyo, Ivan Roman and Crystal Geisert.

___Deborah I. Ecker_____
Printed name

KP Law, P.C.
101 Arch Street, F112, Boston, MA 02110
Address

decker@k-plaw.com
E-mail address

(617)556-0007
Telephone number

Duty to Avoid Unnecessary Expenses of Serving a Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain defendants to cooperate in saving unnecessary expenses of serving a summons and complaint. A defendant who is located in the United States and who fails to return a signed waiver of service requested by a plaintiff located in the United States will be required to pay the expenses of service, unless the defendant shows good cause for the failure.

"Good cause" does *not* include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant's property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.

WAIVER OF SERVICE OF SUMMONS

ATTACHMENT 8

TO: **PAUL : JONES**

(NAME OF PLAINTIFF'S ATTORNEY OR UNREPRESENTED PLAINTIFF)

I, **Montachusetts Regional Transit Authority, Rebecca Badgley, Donna Landry, Bonnie Mahoney, Karen Cordio, Joanne Norris, Stephanie Richards, Tamara Shumovskaya, Jessica Torres, Amanda Kukta, Robert Monk, Michelle Moyo, Ivan Roman** & **Crystal Geisert,** *, acknowledge receipt of your request

that I waive service of summons in the action of **Paul Jones v. Montachusetts Regional Transit Authority, et al**

(CAPTION OF ACTION)

which is case number **4:19-cv-11093ADB** in the United States District Court

(DOCKET NUMBER)

for the **United States** District of **Massachusetts** .

I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an

answer or motion under Rule 12 is not served upon you within 60 days after **6/14/19** .

(DATE REQUEST WAS SENT)

or within 90 days after that date if the request was sent outside the United States.

7.24.19
(DATE)

(SIGNATURE)

Printed/Typed Name: **Deborah I. Ecker**

As **Attorney** of ***see above**
(TITLE) (CORPORATE DEFENDANT)

Duty to Avoid Unnecessary Costs of Service of Summons

Rule 4 of the Federal Rules of Civil Procedure requires certain parties to cooperate in saving unnecessary costs of service of the summons and complaint. A defendant located in the United States who, after being notified of an action and asked by a plaintiff located in the United States to waive service of summons, fails to do so will be required to bear the cost of such service unless good cause be shown for its failure to sign and return the waiver.

It is not good cause for a failure to waive service that a party believes that the complaint is unfounded, or that the action has been brought in an improper place or in a court that lacks jurisdiction over the subject matter of the action or over its person or property. A party who waives service of the summons retains all defenses and objections (except any relating to the summons or to the service of the summons), and may later object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must within the time specified on the waiver form serve on the plaintiff's attorney (or unrepresented plaintiff) a response to the complaint and must also file a signed copy of the response with the court. If the answer or motion is not served within this time, a default judgment may be taken against that defendant. By waiving service, a defendant is allowed more time to answer than if the summons had been actually served when the request for waiver of service was received.